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**JENNER & BLOCK** LLP

September 11, 2020

**BY ECF**

The Honorable Ann M. Donnelly  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Chambers N 415  
Brooklyn, NY 11201

Re: **United States v. Huawei Technologies Co., Ltd. et al. No. 18-457 (S-3) (AMD)**

Dear Judge Donnelly:

We write in response to the government's letter of this morning.

The government agrees with defendants that the parties are at an impasse in attempting to resolve the extent to which Defendants may use certain criminal discovery in conjunction with interviewing the central witness in the case.

Because the Court previously indicated that it would refer a similar document-intensive discovery issue to the magistrate judge, Defendants on September 9 inquired of this Court's Clerk whether to raise this issue with a magistrate judge or with this Court. We also note that the parties are now also at an impasse in resolving the Defendants' request for corporate discovery pursuant to Rule 16(a)(1)(C); and we note further that the six weeks requested by the government to review the subset of sensitive discovery material designations raised in the Defendants' additional motion have also elapsed, and the government has thus far agreed to partially de-designate less than 20% of the materials at issue. Each of these issues is ripe for prompt judicial consideration.

We therefore welcome either a referral to the magistrate judge, a scheduling order before this Court, or a telephone conference at the Court's convenience.

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Respectfully submitted,

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cc: Government counsel (by email and ECF)  
Clerk of the Court (by ECF)